

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BILL AND LORI SADLER, husband and wife,  
and MARCEL AND PAMELA THIRY,  
husband and wife,

08cv0951

**ELECTRONICALLY FILED**

Plaintiffs,

v.

STATE FARM FIRE AND CASUALTY CO.,

Defendant.

**ORDER OF COURT**

AND NOW, this 19th day of August, 2008, plaintiff having not filed a response to defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (doc. no. 5) on or before August 1, 2008 as directed by Text-only Order of Court dated July 22, 2008, said motion to dismiss is GRANTED.

IT IS FURTHER ORDERED that Counts IV and X (Unfair Trade Practices and Consumer Protection Law), Counts V and XI (Intentional Misrepresentation), and Counts VI and XII (Negligent Misrepresentation) are dismissed with prejudice. Plaintiffs' claims for reimbursement of attorneys' fees, other than those fees authorized by 42 Pa.C.S. § 8371 at Counts III and IX, and their claims for punitive damages, are dismissed with prejudice.

s/ Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel and Parties